IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMARY SUIT NO. 439 OF 2003

Haresh Oveta through partbner
Mr. Haresh Kasat ....Plffs.
vs.
D.J. Rengharajun Proprietor
of Emmars Trading Corpn. .....Defnds.

Mrs. Shweta Doshi for the plaintiffs.

CORAM: S.U. KAMDAR, J.

DATE : 18th October, 2005.

P.C. :.

1. The suit is filed for goods sold and delivered for claim of Rs.2,21,000/- and interest is claimed on Rs.87,332/- at the rate of 24%. The claim arises out of invoices and lorry receipts which are annexed to the plaint. The demand was made. There is no reply to the said demand notice. The cheque

was given for Rs.91,000/- on 3.8.2001 in part payment. The same has also been dishonoured. The defendants are served. Affidavit of service dated 6.9.2004 is taken on record. The plaintiff has filed compilation of documents which is taken on record and marked Ex.P.1 colly. In view of the fact that inspite of service none appears for the defendants the present suit is decreed for sum of Rs.3,08,332/- with further interest at the rate of 12% s.i. on the principal amount of Rs.2,21,000/-. Refund of court fees as per rules.

****